

SANDRA ZAMBRANA,	:	Civil Action No. 11-7319 (SRC)
	:	
	:	
Plaintiff,	:	
	:	
	:	OPINION & ORDER
v.	:	
	:	
GREG BRZOZWSKI,	:	
	:	
Defendant.	:	
	:	
	:	

This matter comes before the Court on the motion for summary judgment, pursuant to Federal Rule of Civil Procedure 56, by Defendant Greg Brzozwski (“Defendant.”) For the reasons stated below, the motion will be denied.

In opposition, Plaintiff points to Exhibit J attached to her brief, a certification of permanent injury by chiropractor Raymond Kent, D.C. Defendant submitted no reply to the opposition brief, even after the Court issued an Order noting the lack of a reply and giving Defendant an additional opportunity to submit one.

Plaintiff has carried her burden to defeat the motion for summary judgment. “A nonmoving party has created a genuine issue of material fact if it has provided sufficient

evidence to allow a jury to find in its favor at trial.” Gleason v. Norwest Mortg., Inc., 243 F.3d 130, 138 (3d Cir. 2001). As to the issue of whether Plaintiff sustained a permanent injury caused by the accident, the chiropractor’s certification constitutes sufficient evidence to allow a jury to find in Plaintiff’s favor at trial. Plaintiff has shown a disputed factual issue sufficient to defeat the motion for summary judgment, which will be denied.

For these reasons,

IT IS on this 12th day of August, 2013, hereby

ORDERED that Defendant’s motion for summary judgment (Docket Entry No. 18) is
DENIED.

s/ Stanley R. Chesler
Stanley R. Chesler, U.S.D.J